

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:13-CV-646-D

CLARENCE EDWARDS,
and MARTHA EDWARDS,

 Plaintiffs,

 v.

LOG CABIN HOMES, LTD., et al.,

 Defendants.

ORDER

On September 11, 2013, Martha and Clarence Edwards (“plaintiffs”) filed a pro se complaint against Log Cabin Homes, Ltd.; Thomas Vesce; Dorothy Joyner; Steve Brumsfield; Keel, Lassiter, Duffy & Sperati, PLLC; Investors Title Insurance Company; J. Allen Fine; James A. Fine, Jr.; W. Morris Fine; and the United States Secretary of Treasury [D.E. 1].¹ On September 30, 2013, Keel, Lassiter, Duffy & Sperati, PLLC, filed a motion to dismiss [D.E. 7]. See Fed. R. Civ. P. 8(a), 12(b)(6). On October 14, 2013, J. Allen Fine, James A. Fine, Jr., W. Morris Fine, and Investors Title Insurance Company filed a motion to dismiss [D.E. 9]. See Fed. R. Civ. P. 8(a), 10(b), 12(b)(6), 41(b). On October 18, 2013, Log Cabin Homes, Ltd., Thomas Vesce, Dorothy Joyner, and Steve Brumsfield filed a motion to dismiss [D.E. 12]. See Fed. R. Civ. P. 8(a), 10(b), 12(b)(6), 41(b). The moving defendants also submitted supporting memoranda. See [D.E. 7-1, 10, 13].

The court notified the plaintiffs of each motion to dismiss, and of the consequences of failing to respond. See [D.E. 11, 14]. On November 15, 2013, the court granted the plaintiffs’ motion for an extension of time and gave them until December 3, 2013, to respond to the motions. See [D.E. 25]. The plaintiffs never filed a response.

¹ Plaintiffs submitted no evidence that they ever served the Secretary of the Treasury. Thus, the Secretary of the Treasury is not a party.

The court has reviewed the complaint and the motions to dismiss. The complaint is incoherent and fails to comply with Rules 8(a), 10(b), and 12(b)(6) of the Federal Rules of Civil Procedure. The motions to dismiss [D.E. 7, 9, 12] are GRANTED. The complaint is DISMISSED without prejudice as to all defendants.

SO ORDERED. This 13 day of January 2014.


JAMES C. DEVER III
Chief United States District Judge